

**POWER OF ATTORNEY  
OR  
REVOCATION OF POWER OF ATTORNEY  
WITH A NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	09/744,658
Filing Date	May 30, 2001
First Named Inventor	Barbara Wallner
Title	Regulation of Substrate Activity
Art Unit	1654
Examiner Name	Jeffrey E. Russel
Attorney Docket Number	IO248.70014US00/9442-45

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

20792

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☒ The address associated with Customer Number:

OR

20792

☐ Firm or Individual Name

Address

City

Country

State

Zip

Telephone

Email

I am the:

☐ Applicant/Inventor.

OR

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b), (Form PTO/SB/96) submitted herewith or filed on \_\_\_\_\_

**SIGNATURE of Applicant or Assignee of Record**

Signature

Name

John Didsbury, Ph.D.

Date

7/31/08

Title and Company

President, Chief Operating Officer & Chief Science Officer

Telephone

(919) 861-0198

**NOTE:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Barbara Wallner  
Assignee: DARA BioSciences, Inc. (Amended)  
Title: REGULATION OF SUBSTRATE ACTIVITY  
Serial No.: 09/744,658 Filed: May 30, 2001  
Examiner: Jeffrey E. Russel Group Art Unit: 1654  
Atty. Docket No.: IO248.70014US00/9442-45

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450


**STATEMENT UNDER 37 C.F.R. § 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

DARA BioSciences, Inc. is the assignee of the entire interest in the above-identified application by virtue of (1) a Patent Assignment from the inventors of the above-identified application to Point Therapeutics, Inc. and (2) a change in the name of the assignee from Point Therapeutics Inc. to DARA BioSciences, Inc.

The Patent Assignment from the inventors to Point Therapeutics, Inc. is recorded at reel 11852, frame 648 on June 4, 2001.

A copy of the Certificate of Amendment to Certificate of Incorporation of Point Therapeutics, Inc. ("Certificate of Amendment") that was filed with the Delaware Secretary of State on February 12, 2008 and amended the assignee's name from Point Therapeutics, Inc. to DARA BioSciences, Inc. is enclosed herewith. The Certificate of Amendment is being submitted concurrently for recordation pursuant to 37 C.F.R. § 3.11.

The assignee seeks to take action in the Patent and Trademark Office in this matter. The undersigned is empowered to sign this Statement on behalf of the assignee.

By:   
John Didsbury, Ph.D.  
President, Chief Operating Officer &  
Chief Scientific Officer  
DARA BioSciences, Inc.

Date: 7/31/08

# Delaware

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## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "POINT THERAPEUTICS, INC.", CHANGING ITS NAME FROM "POINT THERAPEUTICS, INC." TO "DARA BIOSCIENCES, INC.", FILED IN THIS OFFICE ON THE TWELFTH DAY OF FEBRUARY, A.D. 2008, AT 12:16 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE TWELFTH DAY OF FEBRUARY, A.D. 2008, AT 4:03 O'CLOCK P.M.

2366172 8100

080146969

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6376615

DATE: 02-12-08

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 12:16 PM 02/12/2008  
FILED 12:16 PM 02/12/2008  
SRV 080146969 - 2366172 FILE

**CERTIFICATE OF AMENDMENT  
TO CERTIFICATE OF INCORPORATION  
OF  
POINT THERAPEUTICS, INC.**

Point Therapeutics, Inc., a Delaware corporation (the "Corporation"), does hereby certify that:

**FIRST:** This Certificate of Amendment (this "Certificate of Amendment") amends the Corporation's Certificate of Incorporation, as amended (the "Certificate of Incorporation").

**SECOND:** The terms and provisions of this Certificate of Amendment have been duly adopted in accordance with Section 242 of the General Corporation Law of the State of Delaware and shall become effective at 4:03 p.m., Eastern Standard Time, on February 12, 2008.

**THIRD:** Article FIRST of the Corporation's Certificate of Incorporation is hereby amended to read in its entirety as follows:

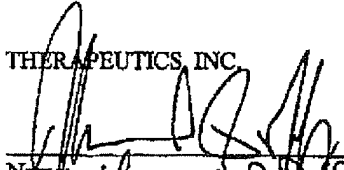
"The name of the Corporation is DARA BioSciences, Inc."

IN WITNESS WHEREOF, the Corporation has caused this Certificate of Amendment to be signed by its duly authorized officer this 12<sup>th</sup> day of February, 2008.

POINT THERAPEUTICS, INC.

By:

Name:  
Title:

  
Michael P. Doherty  
Secretary